

**Town Board Minutes**

April 17, 2017

Meeting No. 11

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 17<sup>th</sup> day of April 2017 at 7:00 P.M. and there were

**PRESENT:** JOHN ABRAHAM, COUNCIL MEMBER  
DAWN GACZEWSKI, COUNCIL MEMBER  
RONALD RUFFINO, COUNCIL MEMBER  
MATTHEW WALTER, COUNCIL MEMBER  
JOHANNA COLEMAN, SUPERVISOR

**ABSENT:** NONE

**ALSO PRESENT:** DIANE TERRANOVA, TOWN CLERK  
KEVIN LOFTUS, TOWN ATTORNEY  
MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER  
MARK LUBERA, PARK CREW CHIEF  
DANIEL AMATURA, HIGHWAY SUPERINTENDENT  
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES  
JOHN TROJANOWSKY, EXEC. DIRECTOR, YOUTH BUREAU

## **PERSONS ADDRESSING TOWN BOARD:**

**Buchholz, Bill**, Representing Bryce Buchholz Foundation spoke to the Town Board on the following matter:

- Notified the Board that the Ride for Bryce will take place on May 7<sup>th</sup> at Keysa Park and all proceeds will go towards the Lancaster Skate Park.

**Harder, Don** spoke to the Town Board on the following matter:

- Questions regarding petitions sent to the Town Board.

**Kazmierczak, Tom**, spoke to the Town Board on the following matters:

- Comments regarding acceptable recycling materials.
- Asked if the Town could provide a container for empty water bottles at the Town parks.

**Maddock, Frank**, spoke to the Town Board on the following matter:

- Comments regarding waste collection and unsightly litter on the roads.

**Nosbisch, Paul, Jr.**, spoke to the Town Board on the following matters:

- Commented that Waste Management will not pick up tires with intact rims. Tires must be off the rim.
- Asked if the County will repair Aurora Street.
- Concerns regarding the traffic light being installed at the intersection of Broadway and Pavement Road.
- Comments on the Comprehensive Master Plan, specifically Police Department staffing and the growth of the Town.

**Provenzola, John**, spoke to the Town Board on the following matter:

- Questions regarding petitioning the Town Board.

**Reed, Nancy**, spoke to the Town Board on the following matter:

- Notified the Board that more petitions will be forthcoming regarding the Children's Kastle project.

**PUBLIC HEARING SCHEDULED FOR 7:15 P.M.:** No. 1 Special Use Permit – Joshua Strell – 5898 Broadway Seasonal Rental Business Office

ON MOTION BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER GACZEWSKI AND CARRIED, the public hearing was opened.

At 7:15 P.M., the Town Board held a Public Hearing to hear all interested persons upon a Special Use Permit 5898 Broadway, Joshua Strell, seasonal rental business office matter.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
None	

ON MOTION BY COUNCIL MEMBER WALTER, SECONDED BY COUNCIL MEMBER ABRAHAM AND CARRIED, the public hearing was closed at 7:17 P.M.

Decision on this matter was reserved.

April 17, 2017

**PUBLIC HEARING SCHEDULED FOR 7:15 P.M.:** No. 2 Special Use Permit 6140 Genesee Street, MJJ Property Management LLC

ON MOTION BY COUNCIL MEMBER GACZEWSKI, SECONDED BY COUNCIL MEMBER WALTER AND CARRIED, the public hearing was opened.

At 7:17 P.M., the Town Board held a Public Hearing to hear all interested persons upon a Special Use Permit 6140 Genesee Street, MJJ Property Management LLC.

The affidavits of publication and posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

NAME OF PERSONS ADDRESSING THE BOARD ON THIS SUBJECT	Proponent/ Opponent/ Comments/Question
None	

ON MOTION BY COUNCIL MEMBER ABRAHAM, SECONDED BY COUNCIL MEMBER GACZEWSKI AND CARRIED, the public hearing was closed at 7:19 P.M.

Decision on this matter was reserved.

April 17, 2017

**PRESENTATION OF PREFILED RESOLUTIONS:**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**RESOLVED**, that the minutes of the Regular Meeting of the Town Board  
held April 3, 2017 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote  
on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

April 17, 2017

File: RMIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**RESOLVED**, that the following Audited Claims be and are hereby ordered  
paid from their respective accounts as per abstract to be filed in the Office of the Town Clerk  
by the Assistant to the Supervisor, to wit:

Claim No. 48038 to Claim No. 48237 Inclusive

Total amount hereby authorized to be paid: \$568,203.93

The question of the foregoing resolution was duly put to a vote on roll call  
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

April 17, 2017  
File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER WALTER, TO WIT:

**RESOLVED** that the following Building Permit applications be and are hereby reaffirmed:

**CODES:**

- (SW) = Sidewalks as required by Chapter 12-1B of the Code of the Town of Lancaster are waived for this permit.  
(CSW) = Conditional sidewalk waiver  
(V/L) = Village of Lancaster

**NEW PERMITS:**

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
26374		Raymond Wolfe	18W Home Rd	Re-Roof	
26375		Karl & Ada Koestler	20 Parkside Dr	Re-Roof	(V/L)
26376		Charles Selcoe	8 Worthington Ln	Re-Roof	
26377		Francis Murello	5232 William St	Re-Roof	
26378		Agnes Acquard	427 Westwood Rd	Re-Roof	
26379		Fair Home Improvements Inc.	630 Columbia Ave	Er. Res. Add.	
26380		Brian Mamott	14 Stephens Ct	Er. Shed	(V/L)
26381		Neth & Son Inc.	9 Windsor Ridge Dr	Re-Roof	
26382		Neth & Son Inc.	257 Enchanted Forest N	Re-Roof	
26383		Brian & Sharade Aldinger	84 Field Ave	Er. Fence	(V/L)
26384		Riverside Door & Window Inc.	30 Aurora St	Re-Roof	(V/L)
26385		Superior Decks & Gazebos Inc.	244 Broezel Ave	Er. Deck	
26386		Zenner & Ritter Co. Inc.	62 Sterling Pl	Inst. Generator	
26387		Dinatale Enterprises	234 Nathan's Trl	Re-Roof	
26388		Christopher & Rishika Haynes	157 Nathan's Trl	Re-Roof	
26389		Cornerstone Services Group Inc	137 Ransom Rd	Er. Res. Alt.	
26390		City Fence Inc.	122 Pheasant Run Ln	Er. Fence	
26391		Beauty Pools Inc.	1 Jonquille Ct	Er. Pool-In Grnd	
26392		Beauty Pools Inc.	1 Jonquille Ct	Er. Fence	
26393		Joseph & Jean Buczak	6412 Broadway	Re-Roof	
26394		Michael & Amy Setlock	20 Sherborne Ave	Er. Pool-Abv Grnd	(V/L)
26395		Laura Roll	49 Livingston St	Re-Roof	(V/L)
26396		CGL Contracting, LLC	68 Avian Way	Re-Roof	
26397		Dorothy Haenggi	14 Fifth Ave	Re-Roof	(V/L)
26398		Matthew & Jennifer Baehr	10 Darien Ct	Er. Shed	
26399		LJ Construction	231 Nathan's Trl	Re-Roof	
26400		Donald & Valerie Juliano	3800 Bowen Rd	Er. Res. Add.	
26401		James J. Lenahan	5 Magrum Ln	Er. Deck	
26402		SRK Caravel Arms Assoc.	1 Pleasant Ave W	Er. Comm. Add./Alt.	(V/L)
26403		William & Hilda Maas	3786 Bowen Rd	Er. Fence	
26404		Robert & Grace Rozek	20 Logan Ln	Er. Deck	
26405		Sturdi Buillt Sheds LLC	676 Pleasant View Dr	Er. Shed	
26406		City Fence Inc.	25 Woodgate Dr	Er. Fence	
26407		Charles J. Sorrento	1154 Penora St	Er. Deck	
26408		Neth & Sons Inc.	5 Americo Ct	Re-Roof	
26409		Neth & Sons Inc.	15 Bentley Cir	Re-Roof	
26410		Ryan & Nicole Hartman	17 Biscayne Dr	Er. Pool-Abv Grnd	
26411		Ryan & Nicole Hartman	17 Biscayne Dr	Er. Fence	
26412		Edward & Diane Carlsen	94 Elm Pl	Er. Shed	(V/L)
26413		Paul Gregg	39 Benson Dr	Er. Shed	(V/L)
26414		Jill M. Spyropoulos	16 Rose St	Re-Roof	
26415		Marrano/Marc Equity Corp.	20 Cherryfield Ln	Er. Dwlg.-Sin.	
26416		Marrano/Marc Equity Corp.	21 Cherryfield Ln	Er. Dwlg.-Sin.	
26417		David & Peggy Kalmeyer	181 Westwood Rd	Er. Shed	
26418		Kyle & Alaina Tauscher	678 Pleasant View Dr	Er. Fence	
26419		Gerald Lewis DBA	12 Greenmeadow Dr	Re-Roof	
26420		Gerald Lewis DBA	40 Wren Ave	Re-Roof	(V/L)
26421		Rich Pools	20 Ravenwood Dr	Er. Pool-Abv Grnd	
26422		J-Cap Contractors LLC	137 Nathan's Trl	Re-Roof	
26423		Mark & Crystl Trudell	540 Erie St	Re-Roof	
26424		Vitirins Home Improvement	704 Hall Rd	Re-Roof	
26425		Majestic Pools Inc.	16 Arrow Trl	Er. Pool-In Grnd	

26426	Majestic Pools Inc.	16 Kennedy Ct	Er. Pool-In Grnd	
26427	Majestic Pools Inc.	15 Sussex Ln	Er. Pool-In Grnd	
26428	Majestic Pools Inc.	680 Townline Rd	Er. Pool-In Grnd	
26429	Black Rock Roofing	415 Lake Ave	Re-Roof	
26430	RJF Development JV	78 Tranquility Trl	Er. Dwlg.-Sin.	
26431	Decks Unlimited Construction	283 Enchanted Forest N	Er. Deck	
26432	Up State Tower Co., LLC	0 Mohawk Pl	Cell Tower Co-location	
26433	Majestic Pools Inc.	34 Summerfield Dr	Er. Pool-In Grnd	
26434	Thomas & Erin Rajczak	74 Tranquility Trl	Er. Shed	
26435	Majestic Pools Inc.	34 Summerfield Dr	Er. Fence	
26436	Majestic Pools Inc.	16 Kennedy Ct	Er. Fence	
26437	Majestic Pools Inc.	680 Townline Rd	Er. Fence	
26438	Marrano/Marc Equity Corp.	25 Cherryfield Ln	Er. Dwlg.-Sin.	
26439	Majestic Pools Inc.	15 Sussex Ln	Er. Fence	
26440	Jennifer Kush	141 Robert Dr	Er. Pool-Abv Grnd	(V/L)
26441	Signtech of WNY Inc.	188 Erie St	Er. Sign	(V/L)
26442	Upchurch Construction	2 Avian Way	Re-Roof	
26443	Marrano/Marc Equity Corp.	27 Cherryfield Ln	Er. Dwlg.-Sin.	
26444	Sean & Krystie Collins	34 Pear Tree Ln	Er. Shed	

**RESOLVED**, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

**BE IT FURTHER**

**RESOLVED**, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

April 17, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER GACZEWSKI, TO WIT:

**WHEREAS**, the Twin District Volunteer Fire Company, Inc., by letter  
dated March 25, 2017, has requested the deletion of one member from the active roster of said  
fire association,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby deletes  
from the membership of the Twin District Volunteer Fire Company, the following individual:

**DELETION:**

Aaron Stenzel

The question of the adoption of the foregoing resolution was duly put to a  
vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

April 17, 2017

File: RFIRE (P6)



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER GACZEWSKI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**NOW THEREFORE BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the Intermunicipal Shared Services Agreement, between the Town of Lancaster and the New York State Department of Transportation, as previously presented, allowing the Lancaster Highway Superintendent and the New York State Department of Transportation Resident Engineer (North Erie County) and Regional Director of Operations, to share services, exchange or lend materials or equipment which shall promote and assist the maintenance of State and Municipal roads and highways and provide a cost savings by maximizing the effective utilization of both parties’ resources; and hereby authorizes the Lancaster Highway Superintendent to execute said agreement which will be in effect for four (4) years beginning March 16, 2017.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

April 17, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER GACZEWSKI, TO WIT:

**WHEREAS**, the Town Line Volunteer Fire Department, Inc., by letter dated April 4, 2017, has requested the addition of a member to the roster of said fire association.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby confirms the addition to the membership of the Town Line Volunteer Fire Department the following individual:

**ADDITION:**

Jerod Blackchief  
Lancaster, New York

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

April 17, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER GACZEWSKI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, the developer has requested the Town Board of the Town of Lancaster accept completed Public Improvements within Apple Blossom Farms 3 Lot Subdivision within the Town of Lancaster, and

**WHEREAS**, the Town Engineer by letter to the Town Clerk dated April 6, 2017 has inspected the improvements and has recommended the approval thereof, and

**WHEREAS**, the Town Attorney, by letter to the Town Clerk dated April 11, 2017, has reported his favorable review for the acceptance of these public improvements.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that completed Public Improvements No. 763 – Pavement & Curbs, No. 764 - Waterline, No. 765 – Storm Sewer and No. 766 – Sidewalk within Apple Blossom Farms 3 Lot Subdivision be and are hereby approved and accepted by the Town Board of the Town of Lancaster, and

**BE IT FURTHER**

**RESOLVED**, that the Town Attorney is directed to attend to filing the deed causing the dedication of the roads to the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

April 17, 2017  
File: RPIP (P5)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER WALTER, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS**, the Town Board has previously duly advertised for bids for **one (1) new 2017 4x4 Special Service Vehicle**, for use by the Town’s Police Department, and

**WHEREAS**, one bid was received, opened and reviewed on March 31, 2017, and

**WHEREAS**, by letter dated, April 4, 2017, Lancaster Police Patrol Captain, Marco Laurienzo, has recommended award of the bid to Joe Basil Chevrolet, 5111 Transit Road, Depew, New York 14043, being the sole responsible bidder in the amount of \$34,770.00 , and

**WHEREAS**, the Town Board deems it in the public interest to approve the purchase of said vehicle;

**NOW, THEREFORE, BE IT  
RESOLVED,**

1. That the bid by Joe Basil Chevrolet is accepted and that the order for this vehicle is to be placed by the Police Patrol Captain as follows:
  - The purchase of **one (1) new 2017 4x4 Special Service Vehicle** at a unit price of \$34,770.00; after the trade-allowance below is applied, the total expenditure for this purchase = **\$30,270.00**.
2. The following vehicle is to be traded to Joe Basil Chevrolet as per the trade-in allowance listed on the bid form:
  - One (1) 2006 4 x 4 F-150 Super Crew King Ranch Pick-up \$4,500.00  
Vin# 1FTPW14516KD70573 (128,000 approx. mi.).
3. Funding for this purchase is available from the 2017 Police Department Passenger Vehicle Budget.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

April 17, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER GACZEWSKI, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER WALTER, TO WIT:

**WHEREAS**, on December 30, 2015, at the recommendation of the Highway Superintendent, the Town Board of the Town of Lancaster entered into an agreement with Foit Albert Associates, P.C., to provide the engineering services for the design, construction administration and inspection phases for the Town of Lancaster’s Highway Capital Improvements Project involving the replacement of five highway culverts, two bridges and the rehabilitation of the Lake Avenue bridge over Cayuga Creek, and

**WHEREAS**, Foit Albert Associates, P.C., has requested that the Town Board authorize an invitation to bid for the reconstruction/replacement of the culverts on Old Post Road, Maple Drive, and two on Erie Street, as well as improvements to deteriorated portions of the Lake Avenue Bridge over Cayuga Creek within the Town of Lancaster, and

**WHEREAS**, the Town Board has given due review and consideration to the request and deems it in the interest of public safety to invite public bids for the reconstruction/replacement of the culverts on Old Post Road, Maple Drive, and two on Erie Street, as well as improvements to deteriorated portions of the Lake Avenue Bridge over Cayuga Creek in conformance with General Municipal Law §103 of the State of New York;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby invites public bids for the reconstruction/replacement of the culverts on Old Post Road, Maple Drive, and two on Erie Street, as well as improvements to deteriorated portions of the Lake Avenue Bridge over Cayuga Creek, said bids are to be in conformance with the plans and specifications which are available at the office of Foit-Albert Associates, P.C., 763 Main Street, Buffalo, New York 14203 and to be received in the office of the Town Clerk, 21 Central Avenue, Lancaster, New York, no later than 10:00 A.M. Local Time on May 9, 2017 and opened thereafter.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

# **NOTICE TO BIDDERS**

FOR THE

**TOWN LANCASTER**

## **HIGHWAY CAPITAL BRIDGE & CULVERT IMPROVEMENT PROJECT FOR OLD POST ROAD, ERIE STREET, MAPLE DRIVE & LAKE AVENUE**

Sealed bids for the proposed Town of Lancaster 2016 Bridge & Culvert Improvement project on Old Post Road, Erie Street, Maple Drive & to deteriorated portions of the Lake Avenue Bridge in the Town of Lancaster will be received by the Town Clerk at her office in the Town Hall, 21 Central Avenue, Lancaster, New York on or before 10:00 A.M. local time on May 9, 2017, at which time they will be publicly opened and read aloud.

Contract Documents may be examined at the office of the Town Clerk and at the office of the CONSULTING ENGINEER, Foit-Albert Associates, P.C., 763 Main Street, Buffalo, New York 14203 between the hours of 9:00 A.M. and 4:00 P.M., except Saturdays, Sundays and Holidays.

Contract Documents for the 2016 Bridge & Culvert Improvement Project may be obtained at the office of the CONSULTING ENGINEER upon deposit of \$50.00 per set [two (2) checks of \$25.00 each payable to the CONSULTING ENGINEER]. If requested in writing, the CONSULTING ENGINEER will mail the Contract Documents to those wishing to obtain a set upon receipt of the \$50.00 deposit plus a non-refundable mailing charge of \$25.00 per set, made payable to the CONSULTING ENGINEER. Bidders will receive a refund of the entire deposit upon returning plans and specifications in good condition within thirty (30) days of the bid award; non-bidders will be refunded one-half of the deposit upon the return of such plans and specifications in good condition within the thirty (30) days following the award of the Contract.

Proposals shall be made and received upon the following conditions:

Each proposal must be accompanied by the deposit of a certified check, payable to the Town of Lancaster, for a sum equal to five percentum (5%) of the total amount of the Bid, or a bond with sufficient sureties in a penal sum equal to five percentum (5%) of such total bid amount, conditioned that if the proposal is accepted, that he will execute within fifteen (15) days from the date of the acceptance of the proposal, a suitable security bond in the amount of the Contract, conditioned for the faithful and prompt performance and completion of the Work specified in the Contract.

All bid deposits except that of the successful bidder will be returned.

Upon acceptance of his Bid, if the successful bidder fails to enter into a Contract pursuant to the requirements of the Contract Documents, or fails to give the further security prescribed in this Notice, with the same time limited therein, then the check deposited as aforesaid and the monies standing to the credit of the same, shall be forfeited to the Town as liquidated damages, or the payment of the bond enforced for the benefit of the Town. The Town of Lancaster reserves the right to waive informalities in or to reject any and all bids.

Consulting Engineers:  
Foit-Albert Associates, P.C.  
763 Main Street  
Buffalo, NY 14203  
(716) 856-3933  
Date: April 20, 2017

By the Order of the Town Board of  
Lancaster, Erie County, New York

Diane Terranova  
Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER GACZEWSKI, TO WIT:

**WHEREAS**, in February 2017 a motor vehicle accident caused severe damage to a Town neighborhood sign located at the entrance of Pine Tree Farms Subdivision in the Town of Lancaster, and

**WHEREAS**, by letter dated April 5, 2017, Mark Lubera, has recommended that the Town of Lancaster authorize Santoro Signs to furnish and install a new sign at that location at a cost of \$1,997.80, per their quote dated March 29, 2017, and

**WHEREAS**, the cost of replacing the sign will initially be paid for from the 2017 Forestry and Community Beautification Budget Line Item 01.8510.0260 fund until the Town obtains financial reimbursement from the involved driver’s automobile insurance company.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes Santoro Signs, 3180 Genesee Street, Buffalo, NY 14225, to furnish and install a new neighborhood sign at the entrance of Pine Tree Farms Subdivision, in the Town of Lancaster at a cost not to exceed \$1,997.80 and to be paid for from the 2017 Forestry and Community Beautification Budget Line Item 01.8510.0260 fund with financial reimbursement eventually coming from the involved driver’s automobile insurance company.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

April 17, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER ABRAHAM, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER GACZEWSKI, TO WIT:

**WHEREAS**, Igor Los has submitted an application for a Special Use Permit for a three (3) bay truck repair shop and small office to be known as **Autowave, Inc.**, and situated at 1035 Ransom Road, currently zoned Light Industrial, in the Town of Lancaster, in accordance with provisions of Chapter 50-Zoning, Section 24 (B)(1)(a) and Section 50-20(B)(1)(j) of the Code of the Town of Lancaster, and

**WHEREAS**, the Zoning Code of the Town of Lancaster requires that the Town Board conduct a public hearing before the issuance of a special use permit for a use as proposed;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that pursuant to Chapter 50-Zoning, Section 46, entitled "SPECIAL USE PERMITS" of the Code of the Town of Lancaster, a Public Hearing on the proposed Special Use Permit for a three (3) bay truck repair shop and small office to be known as Autowave, Inc., on premises locally known as 1035 Ransom Road, in the Town of Lancaster, will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 1<sup>st</sup> day of May, 2017, at 7:15 o'clock P.M., Local Time, and that Notice of the time and place of such Hearing be published in the Lancaster Bee, a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board and that a copy of such Notice of Hearing be referred to the Erie County Department of Planning, pursuant to Section of the General Municipal Law, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

April 17, 2017



**LEGAL NOTICE  
PUBLIC HEARING  
SPECIAL USE PERMIT – IGOR LOS  
1035 RANSOM ROAD, LANCASTER**

**LEGAL NOTICE IS HEREBY GIVEN**, that pursuant to the authority set forth in Chapter 50-Zoning, Section 46, entitled "SPECIAL USE PERMITS" of the Code of the Town of Lancaster, and the Town Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 17<sup>TH</sup> day of April, 2017 the said Town Board will hold a Public Hearing on the 1<sup>st</sup> day of May 2017, at 7:15 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the application of Igor Los, for a Special Use Permit for a three (3) bay truck repair shop and small office to be known as Autowave, Inc., on premises locally known as 1035 Ransom Road, in the Town of Lancaster, County of Erie, State of New York.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

**TOWN BOARD OF THE  
TOWN OF LANCASTER**

**BY:           DIANE M. TERRANOVA  
Town Clerk**

April 20, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER WALTER, TO WIT:

**WHEREAS**, Robert Harris, Engineer for the Town of Lancaster, has requested that the Town Board authorize a contractor to repair a sewage pipeline blockage at the Town of Lancaster’s Public Safety Building, and

**WHEREAS**, the Engineer, obtained two written proposals for the sewage pipeline repair at the Public Safety Building pursuant to §104 of General Municipal Law and in accordance with the Town of Lancaster’s Procurement Policy, and

**WHEREAS**, by letter dated April 10, 2017, Robert Harris requested that the Town of Lancaster contract with MLP Plumbing & Mechanical, Inc., to fix a sewage pipeline blockage at the Town of Lancaster’s Public Safety Building, at a cost of \$13,200.00 per their quote dated April 10, 2017, and

**WHEREAS**, funding for the sewage pipeline repair at the Public Safety Building is to be paid for from the Town’s Buildings, Capital Outlay Budget; Line Item 01-1620-260, and

**WHEREAS**, there shall be no reimbursement for any services provided until the required documents and insurance certificates are received by the Town.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby accepts the proposal from MLP Plumbing & Mechanical, Inc., 3198 Union Road, Suite 300, Cheektowaga, NY 14227, to repair a sewage pipeline blockage at the Town of Lancaster’s Public Safety Building, in accordance with their quote dated April 10, 2017 in an amount not to exceed \$13,200.00 and to be paid for from the Town’s Buildings, Capital Outlay Budget; Line Item 01-1620-260.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

April 17, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCIL MEMBER WALTER, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER ABRAHAM, TO WIT:

**WHEREAS,** the Town of Lancaster seeks grant monies from the State of New York Governor’s Traffic Safety Committee via the Police Traffic Services (PTS) program to reduce unsafe driving behaviors within the Town, and

**WHEREAS,** grant monies will be used to support overtime police patrols targeting speeding and aggressive driving;

**NOW, THEREFORE BE IT**

**RESOLVED,** that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the State of New York Governor’s Traffic Safety Committee for the purpose of securing this grant, and

**BE IT FURTHER**

**RESOLVED,** that the Supervisor and Chief of Police be and hereby are authorized and directed to execute all documents pertaining to the application and acquisition of said funding.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

April 17, 2017

THE FOLLOWING RESOLUTION WAS OFFERED  
BY SUPERVISOR COLEMAN, WHO  
MOVED ITS ADOPTION, SECONDED BY  
COUNCIL MEMBER GACZEWSKI, TO WIT:

**WHEREAS**, the Town of Lancaster provides health insurance benefits to certain of its employees and retirees; and

**WHEREAS**, in a continuing effort to control the costs of the health insurance program, the Town, upon the recommendation of its health insurance broker and consultant Premier Consulting Associates, LLC, has identified a number of changes to the health insurance program that will be beneficial to the Town;

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the Town Board of the Town of Lancaster hereby approves the following agreements, in substantially the form presented, in order to implement certain beneficial changes to the Town’s health insurance program:

- 1. The Health Benefits Plan Consultant Agreement with Premier Consulting Associates, LLC, which shall include the option to access the PremierLinux software program;
- 2. The Post-Termination Agreement with BlueCross BlueShield of Western New York;
- 3. The Administrative Services Agreement with Independent Health Corporation;
- 4. The HIPAA Business Associate Agreement with Independent Health Corporation; and
- 5. The Service Agreement with ProAct, Inc., which shall include the option to participate in the CanRx benefit program; and

**BE IT FURTHER**

**RESOLVED**, that the Town Supervisor is hereby authorized to execute the agreements set forth above upon review and approval of said agreements by the Town’s legal counsel, and the Town Supervisor is further authorized to undertake all other actions necessary to effectuate the intent and operation of this resolution.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED	YES
COUNCIL MEMBER GACZEWSKI	VOTED	YES
COUNCIL MEMBER RUFFINO	VOTED	YES
COUNCIL MEMBER WALTER	VOTED	YES
SUPERVISOR COLEMAN	VOTED	YES

April 17, 2017

## **COMMUNICATIONS & REPORTS**

- 226. Twin District Volunteer Fire Co. to Town Clerk –  
Change in roster. Disposition = Resolution 4/17/17**
- 227. Town of Lancaster Disaster Coordinator to Town Clerk –  
Town of Lancaster Emergency Management March 2017 Activities.  
Disposition = Received & Filed**
- 228. Jeremy J. Zellner, Commissioner Erie County Board of Elections to Supervisor –  
Information regarding new social media accounts and upcoming 2017 Campaign  
Finance Seminar. Disposition = Received & Filed**
- 229. Town Attorney to Town Board and Planning Board –  
SEQR response from NYS Dept. of Environmental Conservation regarding Basil  
Resale Center Addition, 5111 Transit Road, Proj. #1700.  
Disposition = Planning Committee**
- 230. Park Crew Chief to Planning Board Chair, Planning Board and Town Board –  
No issues with landscape plan for addition to Superior Pallets, Inc.  
Disposition = Planning Committee**
- 231. Town Clerk to Various News Media –  
Press release reminding all Town residents of the Town Code regarding Yard  
Sale permits. Disposition = Received & Filed**
- 232. Captain Marco Laurienzo to Supervisor –  
Request for authorization for the purchase of one new 2017 4X4 Pursuit Rated  
Special Service vehicle from Basil Chevrolet, Inc.  
Disposition = Resolution 4/17/17**
- 233. Lancaster Presbyterian Church to Supervisor and Town Board –  
Invitation to National Day of Prayer on Thursday, May 4, 2017 from noon to  
12:30PM in front of Town Hall. Disposition = Received & Filed**
- 234. Town Line Volunteer Fire Dept. to Town Clerk –  
Change in roster. Disposition = Resolution 4/17/17**
- 235. Town Engineer to Town Board –  
Recommend acceptance of the following Public Improvement Permits:  
#763-pavement & curbs, #764-waterline, #765-storm sewer, and  
#766-sidewalk for Apple Blossom Subdivision. Disposition = Resolution 4/17/17**
- 236. Town Clerk to Town Board –  
Town Clerk Monthly Report for March 2017. Disposition = Received & Filed**
- 237. Daniel J. DiGiore to Town Clerk –  
30-day Advanced Notice of application for liquor license for Picasso's Pizzeria &  
Subs Drive in of Lancaster, 5413 Broadway, Lancaster, NY.  
Disposition = Received & Filed**
- 238. Boys & Girls Club of Depew-Lancaster to Supervisor –  
Request to hold 40<sup>th</sup> Annual 10K Race on Tuesday, July 4, 2017 in the village.  
Disposition = Police Chief & Highway Superintendent**
- 239. Town Clerk to Town Board –  
Copy of second 2017 Monthly County Settlement payment to Erie County.  
Disposition = Received & Filed**
- 240. Town Clerk to Code Enforcement Officer –  
Transmittal of request to renew Special Use Permit for Joe Basil Chevrolet, Inc.,  
5077 Transit Road. Disposition = For Resolution**

241. Town Engineer to Town Board –  
Recommend MLP Construction, Inc. to repair Police Court Building Plumbing  
Emergency. Disposition = Resolution 4/17/17
242. Erie County Board of Elections Commissioners to Erie County Town Clerks –  
Information regarding Campaign Finance Seminar.  
Disposition = Received & Filed
243. Park Crew Chief to Supervisor and Town Board –  
Request for resolution for construction and placement of entrance sign to  
Pine Tree Farms Subdivision by Santoro Signs, 3180 Genesee St., Buffalo, NY.  
Disposition = Resolution 4/17/17
244. NYS Dept. of Transportation to Supervisor –  
Determination that a 3-color traffic signal is warranted at the intersection of  
Route 20 (Broadway) and Pavement Road, but cannot provide a timetable for  
completion at this time. Disposition = Highway Superintendent, Code  
Enforcement & Town Engineer
245. Erie County Clerk's Office to Supervisor –  
Information regarding distribution of Mortgage Tax on real estate to  
municipalities. Disposition = Director of Finance
246. Town Attorney to Town Clerk –  
Transmittal of Maintenance Bonds for Pavement & Curb, Water Line, Storm  
Sewer and Sidewalk public improvements for Apple Blossom Farms 3-Lot  
Subdivision. Disposition = Received & Filed
247. Town Attorney to NYSDEC, Erie County DPW, Erie County Health Dept.,  
Div. of Sewerage Management, NYSDOT and Erie County DEP –  
Request for lead agency designation regarding Re-Zone 0 Como Park Blvd.  
from R-2 to MFR-3. Disposition = Planning Committee
248. Highway Superintendent to Supervisor --  
Request to waive the Town of Lancaster Vehicle Use Policy for Summer Help  
Employees in the Highway Dept. and Parks & Recreation Dept.  
Disposition = Received & Filed
249. Town Attorney to Town Board and Planning Board –  
SEQR response from NYSDEC regarding Angry Buffalo; Joseph David  
Rezone Application & Site Plan #1519, Wehrle Drive.  
Disposition = Planning Committee
250. Police Chief to Town Clerk –  
Articles and communications. Disposition = Received & Filed
251. Amy McLeod to Judge Cervi –  
Letter of resignation from position of Court Clerk effective May 4, 2017.  
Disposition = Received & Filed
252. Police Chief to Supervisor and Town Board –  
Information regarding the final stage of the New York State Dept. of Criminal  
Justice Services Police Accreditation process. Disposition = Received & Filed

**ADJOURNMENT:**

**ON MOTION OF COUNCIL MEMBER ABRAHAM AND SECONDED BY  
COUNCIL MEMBER GACZEWSKI AND CARRIED,** the meeting was adjourned in  
memory of John Latella Sr. and Robin (Beckman) Waldmiller at 7:59 P.M.

Signed\_\_\_\_\_

Diane M. Terranova, Town Clerk